

Transit Reform, Parking Regulation and Emissions Reductions

A

PROPOSITION A

Shall the Municipal Transportation Agency be provided greater governing authority, and additional funding, and be required to develop a Climate Action Plan, and shall the City not increase the maximum number of parking spaces allowed for new private development projects unless approved by a super-majority of the Board?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: A 1999 voter-approved Charter Amendment (Proposition E) created a Municipal Transportation Agency (MTA) with expanded powers and duties to run the Municipal Railway (Muni) and the Department of Parking and Traffic. Proposition E set service and performance standards for Muni.

Among other provisions, Proposition E:

- Required a minimum annual contribution to MTA from the City's General Fund.
- Allocated to the MTA a share of the General Fund measured by 40% of parking tax receipts and 50% of new revenues from increases in parking fines, parking taxes or parking enforcement.
- Enabled the MTA to approve an annual budget. The Board of Supervisors can reject the budget by a super-majority vote of eight or more members.

MTA does not have authority to issue bonds or incur debt with its revenues.

Proposition E gave MTA authority over its contracts, subject to compliance with all City contracting requirements. MTA may not accept or spend public grants or other donations without approval from the Board of Supervisors.

MTA handles its personnel and labor relations. MTA may create new managerial positions exempt from civil service protections so long as they do not exceed 1.5% of its workforce. City law caps the wages of Muni transit operators based on operator wages in comparable transit systems.

The Board of Supervisors approves many parking regulations and the installation of many traffic control devices on City streets.

The City's Planning Code limits the number of off-street parking spaces for new private development projects.

THE PROPOSAL: Proposition A is a Charter Amendment that continues the existing service and performance standards for Muni, and expands MTA's authority over its operations and additional funding.

Funding/Budget

- Proposition A would increase MTA's share of City revenues dedicated to Muni, including an allocation of General Fund revenues based on parking tax receipts from 40% to 80%, and allow MTA to keep 100% of new revenues from any future policy changes in parking fines, parking taxes and parking enforcement.
- MTA could issue revenue bonds and other debt upon approval of the Board of Supervisors, without further voter approval.
- MTA would be required to approve its budget every two years, instead of every year. The Board of Supervisors could reject the

budget by a super-majority vote of seven or more members.

- MTA would have to use new General Fund revenues primarily to implement improvements recommended by the City's ongoing Transit Effectiveness Project, which is a system-wide review of Muni's service.

Governing Authority

- MTA could enter into contracts to sell transit passes and parking meter cards without meeting all City contracting requirements and delegate certain contracting authority to the Director of Transportation.
- MTA could accept and spend public grants and other donations without Board of Supervisors approval.

Labor and Personnel

- If MTA is spending within its budget, it could fill vacant positions without approval from the City Controller. The MTA could create new managerial positions exempt from civil service protection subject to an overall limit of 2.75% of its workforce.
- MTA could continue to bargain collectively to set wages for Muni transit operators, but the current wage cap would become a guaranteed base wage.

Parking and Traffic

- Proposition A would clarify and expand MTA power to adopt many parking regulations and install many traffic control devices. Actions related to stop signs, bicycle lanes, preferential parking zones, parking meter zones, parking time limits, and disabled parking privileges would still be subject to review by the Board of Supervisors.
- Proposition A would fix the maximum number of off-street parking spaces the City allows for new private development projects at the number the Planning Code would have allowed on July 1, 2007. The Board of Supervisors could increase this maximum by a super-majority vote of at least nine members or decrease the maximum by a majority vote.

Greenhouse Gas Emissions Reduction

Proposition A requires MTA to develop a Climate Action Plan every two years that would seek to reduce greenhouse gas emissions from San Francisco's transportation sources to 80% of 1990 levels by 2012.

A "YES" VOTE MEANS: If you vote "yes," you want to make these changes to the Charter.

A "NO" VOTE MEANS: If you vote "no," you do not want to make these changes to the Charter.

Notice to Voters:

The "Controller's Statement" and "How 'A' Got on the Ballot" information on this measure appear on the opposite (facing) page.

THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 115.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 36.



A

Transit Reform, Parking Regulation and Emissions Reductions

Controller's Statement on "A"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition A:

Should the proposed charter amendment be approved by the voters, in my opinion, it would affect the cost of government beginning in fiscal year 2008-2009 in that it would direct approximately \$26 million from the General Fund to the San Francisco Municipal Transportation Agency (MTA). This amount is a share of the General Fund measured by 40% of the revenue from the City's parking tax, and would be added to an equal amount that the MTA already receives. The charter amendment would not change the City's current policy of using the equivalent of the remaining 20% of the parking tax for services for seniors and the disabled.

The amendment provides that all future revenue growth from changes in parking policies and parking fine amounts will be dedicated to the MTA. For a sense of the potential size of this revenue, all of the changes in parking policies and fines enacted over the last five years currently generate approximately \$17 million in revenue annually to the General Fund.

To the extent that the funds described above are shifted to the MTA, other City spending would have to be reduced or new revenues identified.

The amendment provides the MTA with additional authority in several areas—approving contracts, hiring, setting employee pay and proposing revenue measures. In general these changes do affect policy and management but do not in and of themselves increase or decrease the cost of government. The amendment requires that the MTA establish a two-year budget. The amendment retains the budget approval process where the Mayor may not change the budget submitted by the MTA Board, but reduces to seven the number of votes by which the Board of Supervisors may accept or reject the budget. The amendment also authorizes the MTA to issue debt financed by revenues under their jurisdiction, subject to concurrence by the Board of Supervisors.

Finally, the amendment specifies that transit operator wages will be at least the average of the two highest paid comparable transit systems nationwide. Currently, this average is used as a cap, setting the salary limit for transit operator wages.

How "A" Got on the Ballot

On July 31, 2007 the Board of Supervisors voted 7 to 4 to place Proposition A on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi and Peskin.

No: Supervisors Alioto-Pier, Jew, McGoldrick and Sandoval.

THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THE FACING PAGE. THE FULL TEXT BEGINS ON PAGE 115.
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 36.



A

Transit Reform, Parking Regulation and Emissions Reductions

This disclaimer applies to the two arguments on this page and the two arguments on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi and Peskin; oppose the measure: Supervisors Alioto-Pier, Jew, McGoldrick and Sandoval.*

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

FOR CLEAN AIR AND MORE RELIABLE MUNI, VOTE YES ON A.

Youth, seniors, families, and working San Franciscans agree: it's time to fix Muni and reduce air pollution in our city.

There's little doubt that Muni needs help. While parts of the system have improved, Muni still fails to meet minimum on-time performance standards; recently botched the opening of the Third Street rail line; and maintains one of the worst fare collection records in America.

Our transit problems don't stop there. Cars, trucks and buses are the chief cause of air pollution in San Francisco, increasing global warming and health risks such as childhood asthma.

Measure A is a comprehensive reform plan. It was crafted by a broad coalition including transit riders, business, labor, environmental groups and the Board of Supervisors.

This emissions reduction and transit reform Charter Amendment:

- Restructures the MTA bureaucracy to cut waste and improve efficiency.
- Reduces air pollution and global warming, requiring that our overall transportation system meet and exceed standards set by the Kyoto Global Warming Treaty.

- Improves transit reliability, so riders will know better when their bus is coming, and how long their trip will take.
- Increases management accountability, so top Muni managers will be hired and fired based on performance.
- Promotes accountability among Muni drivers and other employees.
- Provides much needed additional funding for Muni without raising fares or taxes. This will prevent deep service cuts and fare increases for riders.

San Francisco can have the clean, safe and reliable transit system our world-class city deserves. This Charter Amendment is the next step. Vote Yes on Measure A.

*Rescue Muni
San Francisco Planning and Urban Research Association (SPUR)
San Francisco Democratic Party
San Francisco Labor Council
Board of Supervisors President Aaron Peskin
Supervisor Sean Elsbernd
Sierra Club*

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

Prop A is a charter amendment that is simply crammed with too many different ideas and half-solutions. The drivers' opportunity to negotiate for increased wages in exchange for enhanced working standards is a positive feature of this measure.

However, there is also a hodgepodge collection of ideas that are not in the best interest of San Francisco.

The displacement of oversight abilities to an unelected board, the MTA Board of Directors, regarding the many different parts of the San Francisco Municipal Transportation Agency machine seems illogical at best.

They will have extraordinary control over the second largest department budget in the city (\$700 million for Muni alone). This will also include an additional \$26 million from the General Fund. They will have the power to increase the parking fines, parking meter and Muni fares.

They will have the power to eliminate the driving requirements for taxi license permits mandated by the San Francisco voters for nearly thirty years.

They will have extraordinary control over contracts with private companies.

The elected legislative branch, the branch most accountable to the voters of San Francisco, will only have the ability to scrutinize the budget every two years. Even then, this scrutiny needs a supermajority of the elected supervisors to overturn the budget decisions of an appointed body. This undermines the democratic principle of "consent of the governed."

Please vote no on Prop A.

Jake McGoldrick, Member of Board of Supervisors

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



Transit Reform, Parking Regulation and Emissions Reductions



OPPONENT'S ARGUMENT AGAINST PROPOSITION A

Vote No on Prop A.

This charter amendment is a collection of ideas to reform the Muni system and agency. Some of the provisions are appropriate for a crucial restructuring of the San Francisco Municipal Transportation Agency (MTA).

However, the overriding concern is the displacement of the oversight ability of an ELECTED governing board to an APPOINTED board. Muni's accountability to the public will diminish severely, as a result of shifting oversight to the MTA Board of Directors. The MTA Board of Directors is comprised of seven largely anonymous individuals who serve at the will of the appointing official.

We do not argue the Muni is not in need of reform, or that this charter amendment is terrible. We simply say that any reform should be well thought out, with the proper checks and balances that any city agency requires, much less one with an ever-increasing budget of \$700 million.

- We question the wisdom of giving this much power to an agency with MUNI's track record.

- We question the wisdom of taking away the oversight authority of the San Francisco's legislative branch, the most direct conduit through which citizens are able to complain and ask for reliability, accountability and action.
- We question the wisdom of delivering \$26 million from the City's General Fund annually while simultaneously wiping our hands clean of how that money is spent.
- We question giving Muni the power to increase transit fares, parking meters and parking fines without input from elected officials.

Vote No on Prop A, so the Board can craft a wise, complete and more balanced reform package for a future ballot.

Vote No on Prop A.

Jake McGoldrick, Board of Supervisors
Gerardo Sandoval, Board of Supervisors

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

In 1999, San Francisco voters overwhelmingly passed Proposition E, the Charter Amendment which formed the Municipal Transportation Agency and put Muni on the right track.

The fundamental aim of Prop E was clear – create strong service standards, better coordinate our transportation system and keep Muni free from excessive political interference.

Proposition A stays true to these basic principles. It creates a stronger accountability system within the MTA, brings employees back to the bargaining table to create more efficient work rules and cuts bureaucratic waste.

At the same time, Prop A maintains and even strengthens the oversight of elected officials. Contrary to assertions by opponents, Prop A actually reduces the number of Supervisors required to reject the MTA's budget, any proposed fare hikes and route changes.

Prop A is a comprehensive reform plan crafted by a broad coalition of San Franciscans including business leaders, transit riders, labor and environmental advocates.

To increase Muni funding, improve reliability, and require San Francisco to decrease air pollution which causes global warming below standards set by the Kyoto Global Warming Treaty, vote Yes on Proposition A.

Now is the time to get Muni on the road to reform.

Rescue Muni
San Francisco Planning and Urban Research Association (SPUR)
San Francisco Democratic Party
San Francisco Labor Council
Board of Supervisors President Aaron Peskin
Supervisor Sean Elsbernd
Sierra Club

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



A

Transit Reform, Parking Regulation and Emissions Reductions

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

For Better Transportation Vote Yes on A

A Yes on A vote will support better transit service, safer streets, and a more sustainable San Francisco.

Measure A will dedicate needed funding for better Muni, strengthening San Francisco's role as a Transit First city. Better Muni service means fewer cars, less traffic congestion, and safer streets for walking and bicycling.

San Francisco advocates for better transportation urge you to vote Yes on A!

Walk San Francisco

Livable City

San Francisco Bicycle Coalition

*Kate White, co-founder City CarShare**

Rescue Muni

*For identification purposes only

The true sources of funds for the printing fee of this argument are Walk San Francisco, the San Francisco Bicycle Coalition, Rescue MUNI, L. Kate White and Livable City.

San Francisco labor supports Yes on A

Working San Franciscans demand a Muni that works. Prop A is the answer. It works for riders, employees and all San Franciscans. Please join the San Francisco Labor Council and thousands of working San Francisco families and vote YES on A.

Tim Paulson, Executive Director, San Francisco Labor Council

San Francisco Building & Construction Trades Council

SEIU Local 1021

Hotel and Restaurant Workers Local 2

Transport Workers Local 250-A

The true source of funds for the printing fee of this argument is SEIU 1021.

Environmental advocates support Prop A

We all know how much better we'd like MUNI to perform. Prop A makes needed reforms to improve MUNI's reliability and requires that MUNI make stringent air quality improvements.

Greater reliability will help people get out of their cars and on to transit and MUNI will be cleaner than the Kyoto Protocols. Prop A is win-win for the environment.

Vote Yes on Proposition A

Sierra Club

San Francisco Tomorrow

The true source of funds for the printing fee of this argument is San Francisco Tomorrow.

Reduce global warming, air pollution and childhood asthma. Vote Yes on A

Cars, trucks and buses account for over 50% of the air pollution in San Francisco. Up to one-third of the children in Bay View/Hunters Point suffer from asthma. It's time for San Francisco to take the lead in reducing air pollution and global warming by voting Yes on A.

*Supervisor Sophie Maxwell, Sponsor, Asthma Task Force**

*For identification purposes only

The true sources of funds for the printing fee of this argument are Sophie Maxwell and the SF Labor Council.

Prop A: Muni reform endorsed by the San Francisco Democratic Party

Muni is the transit lifeblood of our city, carrying over 200 million riders every year. It is the primary form of transportation for San Francisco's youth, low-income, ethnic, and working residents. The Democratic Party strongly supports Prop A because it moves Muni towards the reliable, affordable transit system San Franciscans deserve. Prop A will also make San Francisco adopt the Kyoto Global Warming Treaty standards for our entire transportation system. We urge Democrats, and all San Franciscans, to vote Yes on A.

San Francisco Democratic Party

Senator Carole Migden

Senator Leland Yee

Assemblyman Mark Leno

The true source of funds for the printing fee of this argument is the SF Labor Council.

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



Transit Reform, Parking Regulation and Emissions Reductions

A

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

Youth and Educators agree: Yes on A

Students who ride Muni to school endure overcrowding, long trips, delays and violence. Young workers face the same challenges. That's why teachers, youth and education leaders support Muni reform and Proposition A.

School Board Members Hydra Mendoza, Jane Kim, Mark Sanchez**

Teachers for Social Justice

*Ana Jimenez, League of Young Voters**

San Francisco Young Democrats PAC

*Renee Darner, President, College Democrats at SFSU**

*Peter Lauterborn, former Youth Commissioner**

Jeremiah Jeffries, teacher

*For identification purposes only

The true source of funds for the printing fee of this argument is the SF Labor Council.

Senior and disabled Muni riders ask your support for Prop A

Senior and disabled Muni riders need reform. Prop A brings vital new funding without raising fares. It will make Muni faster and more reliable. Please support senior and disabled Muni riders by voting Yes on A.

Senior Action Network

*Bruce Oka, Muni Accessibility Advisory Committee**

*For identification purposes only

The true sources of funds for the printing fee of this argument are Senior Action Network and the SF Labor Council.

Eastside and Housing Advocates agree: Yes on Muni!

Mission, Excelsior, Bayview and SOMA neighborhoods, renters and housing advocates say YES on A for a more reliable, better-funded Muni with greater accountability. Eastside communities suffer the worst asthma rates. Measure A requires the city to adopt groundbreaking emissions standards.

*Ted Gullicksen, Director, San Francisco Tenants Union**

Affordable Housing Alliance

John Avalos

David Campos

Eric Quezada

Calvin Welch

*For identification purposes only

The true source of funds for the printing fee of this argument is the Affordable Housing Alliance.

Safer and more reliable Muni

Every day, thousands of students ride Muni to school. Seniors take the bus to go shopping. Parents ride the train to work. Prop A helps them by making Muni safer and more reliable. Prop A is also a tough, comprehensive reform that will make Muni run better by cutting waste and bureaucracy. That helps us all. Please vote Yes on Prop A.

Assessor-Recorder Phil Ting

*David Chiu, Chair, Chinatown Community Development Center**

*Leon Chow, Chair, Chinese Progressive Association**

*David Ho, Chinatown Coalition For Better Housing**

*For identification purposes only

The true sources of funds for the printing fee of this argument are David Chiu, Leon Chow, the SF Labor Council, SEIU 1021 and SPUR.

No more excuses -- Yes on A

Years of under-funding transit must stop. Proposition A reforms transit; prepares for a future that includes a diverse, vital, less-polluting population; AND coordinates transit to be more effective. Fund mass transit NOW. Decrease dependency on oil. Our community depends on mass transit—don't let us down. YES ON A and NO ON H.

Supervisor Tom Ammiano

Supervisor Bevan Dufty

Robert Haaland, Michael Goldstein, Debra Walker*, Robert Dockendorff, Past Presidents, Harvey Milk LGBT Democratic Club*
Scott Wiener, Past Co-chair, Alice B. Toklas LGBT Democratic Club
*Bill Barnes, San Francisco Democratic Central Committee Member**

*Kim Knox, Paul Mooney, Officers, Harvey Milk LGBT Democratic Club**

*For identification purposes only

The true source of funds for the printing fee of this argument is SPUR.

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



A

Transit Reform, Parking Regulation and Emissions Reductions

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

San Francisco safety leaders urge Yes on A

Safety is a paramount concern for Muni riders. Prop A brings at least \$26 million per year additional funding to Muni. These resources are vital to make Muni safe and reliable. Vote yes on A.

District Attorney Kamala D. Harris
Public Defender Jeff Adachi
Sheriff Michael Hennessey

The true source of funds for the printing fee of this argument is SPUR.

African American Leaders Say Yes on A

Reliable transportation is the gateway to education, jobs and opportunity for thousands of youth and low-income families. Please join us in moving our community forward and reducing the air pollution that causes outrageous rates of childhood asthma in our neighborhoods. Vote Yes on A.

Supervisor Sophie Maxwell
James Bryant, A. Phillip Randolph Institute
*Pastor Arelious Walker**
*Bill Barnes, San Francisco Democratic Central Committee Member**
*Youth Commissioner Cassandra James**

*For identification purposes only

The true sources of funds for the printing fee of this argument are SPUR and the A. Phillip Randolph Institute.

Fixing Muni is the Key to Fighting both Global Warming and Congestion

Vote Yes on Prop A

Muni suffers from poor work rules, excessive bureaucracy and underfunding. Prop. A will fix it.

Restructures our transit agency (MTA) to cut waste.

It allows the General Manager to recruit people outside of the bureaucracy – and be able to fire anyone who does not perform. This is the most significant expansion of management accountability in decades.

Creates clean emissions standards to reduce global warming.

It requires the MTA to create a Climate Action Plan by 2009 with a goal of reducing greenhouse gas emissions from San Francisco's transportation sector to 80% of 1990 levels by 2012.

Increases funding for MUNI—without raising taxes or fares.

It allows the MTA will be able to keep 80% of parking revenue money, instead of sending half of it to the General Fund today. This amounts to \$26 million to help keep Muni affordable and reliable.

Allows for fixes to broken work rules.

For decades, transit reform in San Francisco has run into an immovable obstacle – a Charter-imposed cap on salaries that eliminates the ability of managers to negotiate for new work rules that help make the system run better. This measure gives unions the incentive to join management for new rules that will increase reliability and efficiency.

Creates more efficient traffic management.

This measure consolidates responsibility for bus stop placement, lane striping, stop light signal control, and most of the minutia of traffic management. It gives responsibility for these technical issues to the MTA, the agency charged with coordinating all modes of transportation in San Francisco.

Vote Yes on Prop A.

This is our chance to fix Muni. Let's not miss it.

For the full analysis, go to www.spur.org

San Francisco Planning and Urban Research (SPUR)

The true source of funds for the printing fee of this argument is SPUR Voter.

The three largest contributors to the true source recipient committee are: 1. Jean Fraser, 2. Gabriel Metcalf, 3. Jim Chappell.

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



Transit Reform, Parking Regulation and Emissions Reductions

A

PAID ARGUMENTS AGAINST PROPOSITION A

Vote *NO* on Prop A!

Mission Group for Neighborhood Rights

The true source of funds for the printing fee of this argument is the Mission Group for Neighborhood Rights.

STOP THE MUNI GIVEAWAY! PROTECT NEIGHBORHOOD PARKING!

This gives a group of political appointees sweeping powers — without any voter approval or accountability — and eliminates the ability to increase or change in any way the amount of parking in the City.

This measure would:

- Guarantee bus drivers salary raises without changing permissive work rules.
- Let MTA exclusively set rates for parking fines, fees, and penalties that would go into their own coffers.
- Lock in the current restrictions for building parking and make it impossible to ever increase the amount of parking allowed.
- Repeal the voter-approved system for regulating taxicabs in San Francisco, eliminating all accountability of elected officials.
- Allow the newly recreated Metropolitan Transit Authority to issue revenue bonds — *without voter approval*.

This measure would control far more than Muni. It would give the MTA sweeping powers to control virtually everything governing transportation without citizen input.

This measure does not bring *any* of the necessary reforms to Muni: it does not change work rules that allow drivers to miss work without even notifying their supervisor — without consequences. It diverts more city funds into an MTA black hole without accountability.

There is *no* accountability for better Muni performance.

Muni currently meets less than 70% of its schedule, fails to collect 4 out of every 10 cable car fares. Ridership is declining because of the unreliability of the Muni system. And this charter amendment perpetuates it.

Instead of reform, this proposes to give Muni bus and train operators massive pay increases while effectively eliminating the ability to build parking.

This is *not* good reform for better Muni service. San Francisco's Muni system needs *real* reform, not this misguided measure.

Muni *can* be reformed — with a better measure.

OPPOSE THE MUNI GIVEAWAY!

VOTE *NO* on A!

Coalition for San Francisco Neighborhoods

The true source of funds for the printing fee of this argument is the Coalition for San Francisco Neighborhoods (CSFN).

Proposition A would set Muni reform back twelve years and turn San Francisco motorists into second-class citizens.

It diverts \$26,000,000 from the General Fund, preventing the construction of new neighborhood garages.

It dramatically increases Muni drivers' already-generous salaries, which would probably be the highest in the nation, while eliminating existing performance standards.

It imposes parking limits throughout the City.

Its stated goal is to reduce “private vehicle trips within the City”.

VOTE NO ON A

San Francisco Republican Party

Christine Hughes, Chairman
Jennifer DePalma, Esq., Treasurer
Bill Campbell, Vice Chair – Finance
Janet Campbell, Vice Chair – Special Events
Leo Lacayo, Vice Chair – Communications
Howard Epstein, Vice Chair – Political Affairs
Christopher L. Bowman, Vice Chair – Precinct Operations

Jim Anderer
Michael Antonini, DDS
Walter Armer
John Brunello
Mike DeNunzio
Dr. Terence Faulkner
Harold M. Hoogasian
Stephanie Jeong
David Kiachko
Barbara Kiley

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency.
Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



A

Transit Reform, Parking Regulation and Emissions Reductions

PAID ARGUMENTS AGAINST PROPOSITION A

Ronald Konopaski, DDS
Ramiro Maldonado, Jr.
Bradley Rotter
Dana Walsh
Sue C. Woods

The true sources of funds for the printing fee of this argument are the San Francisco Republican Party and the signators of the argument.

The three largest contributors to the true source recipient committee of the San Francisco Republican Party are: 1. William Campbell, 2. DGF Y2K Special Purpose Trust, 3. Janet Campbell.

VOTE NO ON PROPOSITION A – IT'S A FRAUD, NOT REFORM.

Don't be fooled. Prop A isn't a curative measure for MUNI's ills, it's a shifty backroom deal negotiated by union bosses, mayoral minions (illegally paid more than our Mayor!) taxi and parking industry lobbyists, self-appointed downtown political operatives, and the Board of Supervisors President.

Beware! Proposition A is chockfull of sneaky provisions such as:

- Repealing voter approved Proposition K, which rightfully identifies taxicab permits as government licenses, not for profit. The taxicabs CEOs have tried EIGHT times to undo Proposition K, failing each time as voters upheld this good government measure. Now, encouraged by City Hall, Prop A slips in a deceptive clause undoing thirty years of voter policy. **SHAMEFUL!**
- Stripping voters of our City Charter rights to vote on bonds – the new Metropolitan Transit Agency can issue bonds *without voter approval*. **DISGRACEFUL!**
- Flowery, feel good climate change language, trying to divert voters from the *truth* - MUNI drivers and management keep lenient work rules, give themselves a fat pay raise, seize parking and traffic revenue and authority and the taxpayer money that goes with it. **SCANDALOUS!**

PROP A isn't reform; it sneaks into our City Constitution dangerous anti-consumer, anti-taxpayer, anti-transit user, and anti-automobile provisions.

VOTE NO ON PROPOSITION A – IT'S A FRAUD!

Good Government Alliance

The true source of funds for the printing fee of this argument is the Good Government Alliance.

The contributor to the true source recipient committee is Quentin Kopp — Kopp's Good Government Committee 1998.

VOTE NO ON THE PROPOSITION A SHAM!

Among other defects, and buried trick language, Prop A contains a concealed clause, enabling repeal of Quentin Kopp's 1978 Proposition K which stopped corruptive private trading of government taxicab permits.

Emanating from non-driving Yellow Cab and other moguls and lobbyists, such clause allows government permits to be sold for hundreds of thousands of dollars profit.

VOTE NO ON PROPOSITION A – It legalizes profiteering by non-drivers!

*Mara Kopp
Good Government Alliance*

The true source of funds for the printing fee of this argument is the Good Government Alliance.

The contributor to the true source recipient committee is Quentin Kopp — Kopp's Good Government Committee 1998.

TAXI PROVISION POISONS PROPOSITION A

One paragraph in this thick document, Proposition A, contains Yellow Cab's dream come true. But it's a nightmare for cab drivers, passengers, and voters. A single paragraph could repeal Prop K and destroy a power that voters have held for almost thirty years: Voters control our city's taxi permits. Cab companies and medallion holders have tried eight times to repeal or undermine Prop K. Voters have rejected these attempts, resoundingly. But under Proposition A, if the Board of Supervisors transfers taxi regulation from the Taxi Commission to the MTA, **the Agency could repeal Prop K by an administrative rule.** Here are some potential consequences:

- Taxi permits (medallions) that now must be issued to cab drivers could go to cab companies instead.
- Non-transferable medallions, which are issued for the price of an application fee, could again be bought and sold, as in New York, where they fetch half a million dollars each.
- Also, **WATCH YOUR POCKETS! The MTA itself, and not our elected officials, could set taxi fares and meter rates, under a mandate to "develop new sources of fund-**

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



Transit Reform, Parking Regulation and Emissions Reductions

A

PAID ARGUMENTS AGAINST PROPOSITION A

ing for the Agency's operations." To stop a fare increase, the Board of Supervisors would have to reject the entire MUNI budget by a super-majority of seven votes! Fat chance. **Expect a taxi fare increase if Prop A passes.**

The taxi provision was inserted in Proposition A behind the backs of cab drivers and the Taxi Commission itself. No outreach, no consultation, not a word to the thousands who would be most affected by the potentially devastating changes it could bring about. As long-time supporters of transit-first and clean-air policies, we've been betrayed. Please send this back to the drawing board. **Vote NO on A.**

Ruach Graffis
Membership Secretary
United Taxicab Workers

The true source of funds for the printing fee of this argument is United Taxicab Workers.

Proposition A will not improve Muni. What it will do is increase Muni drivers' already-generous pay without imposing performance standards.

If Proposition A passes, Controller Ed Harrington writes, "spending would have to be reduced or new revenues identified." Since San Francisco does not typically reduce spending, realistically, this proposition will result in new taxes.

Furthermore, the text of Proposition A states that it is the measure's goal to reduce "private vehicle trips within the City." This rhetorical attack on private property is an indication of the authors' motives.

This proposition further marginalizes drivers, drains the budget, and fails to improve Muni. **Vote NO on Proposition A.**

San Francisco Young Republicans
www.sfyf.org

The true source of funds for the printing fee of this argument is San Francisco Young Republicans.

Prop A is ANTI-CAR, ANTI-FAMILY, ANTI-SENIOR, ANTI-DISABLED, ANTI-PARKING, ANTI-REFORM and ANTI-TAXPAYER.

Taxpayers know that throwing money at MUNI won't fix it.

Vote NO on A.

San Francisco Taxpayers Union

The true source of funds for the printing fee of this argument is the San Francisco Taxpayers Union.

Vote NO on A

Anyone waiting for a bus or streetcar knows MUNI reform is needed. Real reform – stronger management, accountability, modern work rules.

Making bus drivers the highest paid in the country won't help MUNI run on time. Preventing parking lots from being built in neighborhood commercial districts won't make life better for families and seniors. Taking away our right to vote on issues like taxi regulations and planning code parking provisions, and making it easier for Supervisors to interfere in MUNI's budget is not reform.

Tell City Hall you want real reform – **Vote No on A.**

San Francisco Chamber of Commerce

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



PROPOSITION A

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by: amending Sections 8A.100 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, and A8.404; repealing Section 16.110; re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively and amending Section 8A.115; and requiring the Board of Supervisors to adopt an ordinance amending the Traffic Code to repeal any provision in conflict with this measure and convert such provisions to rules and regulations of the Municipal Transportation Agency Board of Directors, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency and to reduce greenhouse gas emissions from San Francisco's transportation sector.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 6, 2007, a proposal to amend the Charter of the City and County by: amending Sections 8A.100 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, and A8.404; repealing Section 16.110; re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115 and amending Section 8A.115; and requiring the Board of Supervisors to adopt an ordinance amending the Traffic Code to repeal any provision in conflict with this measure and convert such provisions to rules and regulations of the Municipal Transportation Agency Board of Directors, to read as follows:

Note: Additions are single-underline italics Times New Roman.
Deletions are ~~strikethrough italics Times New Roman~~.

Section 1. The San Francisco Charter is hereby amended by amending Sections 8A.100 through 8A.106, 8A.108 through 8A.110, and 8A.112 through 8A.113, to read as follows:

SEC. 8A.100. PREAMBLE.

(a) An effective, efficient, and safe transportation system is vital for San Francisco to achieve its goals for quality of life, environmental sustainability, public health, social justice, and economic growth. The Municipal Transportation Agency must manage San Francisco's transportation system – which includes automobile, freight, transit, bicycle, and pedestrian networks – to help the City meet those goals. Through this measure, the voters seek to provide the Municipal Transportation Agency with improved resources and expanded independence and authority in order to create a transportation system that is among the best in the world. The Municipal Railway and the Department of Parking and Traffic are vital to the economic and social fabric of San Francisco. San Francisco's transit system should be comparable to the best urban transit systems in the world's major cities.

(b) This article requires the Municipal Transportation Agency to develop clear, meaningful and quantifiable measures of its performance and goals and to regularly publicize those standards. This article also recognizes that the workers of the Municipal Transportation Agency are vital to the success of the Agency and to achieving the improvements voters seek. Therefore, it authorizes incentives for excellence and requires accountability for both managers and employees.

(c) Specifically, San Francisco residents require:

1. Reliable, safe, timely, frequent, and convenient transit service to all neighborhoods;
2. A reduction in breakdowns, delays, over-crowding, preventable accidents;
3. Clean and comfortable transit vehicles and stations, operated by competent, courteous, and well trained employees;
4. Support and accommodation of the special transportation needs of the elderly and the disabled;
5. Protection from crime and inappropriate passenger behavior on the Municipal Railway; ~~and~~
6. Responsive, efficient, and accountable management;
7. Roads that are not gridlocked with congestion;

8. A safe and comprehensive network of bicycle lanes;
9. A safe and inviting environment for pedestrians;
10. Efficient movement of goods and deliveries;
11. A transportation sector that promotes environmental sustainability and does not contribute to global warming; and
12. A well-managed and well-coordinated transportation system that contributes to a livable urban environment.

Through this measure, the voters seek to provide the transportation system with the resources, independence and focus necessary to achieve these goals.

(d) The voters find that one of the impediments to achieving these goals in the past has been that responsibility for transportation has been diffused throughout City government. Accordingly, this Article places within the Municipal Transportation Agency the powers and duties relating to transit now vested in other departments, boards, and commissions of the City and County. This Article further requires that, to the extent other City and County agencies provide services to the Municipal Transportation Agency, those departments must give the highest priority to the delivery of such services.

(e) At the same time, this Article is intended to ensure sufficient oversight of the Municipal Transportation Agency by, among other things, preserving the role of the City's Controller as to financial matters, the City Attorney as to legal matters, and the Civil Service Commission, as to merit system issues. In addition, this Article requires that outside audits be performed to ensure that required service levels are obtained with a minimum of waste.

~~This Article also requires that the Municipal Transportation Agency develop clear, measured performance goals, and publicize both its goals and its performance under those goals. As the workers of the Municipal Transportation Agency are vital to the improvements the voters seek, this Article authorizes incentives for excellence, and requires accountability for both managers and employees when performance falls short.~~

(f) Finally, this Article is intended to strengthen the Municipal Transportation Agency's authority to: 1) manage its employees; 2) establish efficient and economical work rules and work practices that maximize the Agency's responsiveness to public needs; and 3) protect the Agency's Railway's right to select, train, promote, demote, discipline, lay-off and terminate employees, managers, and supervisors based upon the highest standards of customer service, efficiency and competency.

(g) ~~(h)~~ The effective management of traffic flow and parking are vital to the operation of the Municipal Railway. Congestion on city streets causes delays in transit operations. Therefore, the Municipal Transportation Agency must manage parking and traffic flow to ensure that transit vehicles move through City streets safely and efficiently.

(h) In addition, the residents of San Francisco require that the Agency Department of Parking and Traffic: 1) value and protect the safety of pedestrians and bicyclists; 2) reduce congestion and air pollution through efficient use of the streets; and 3) protect the City's economic health by giving priority to commercial deliveries and access to local businesses.

(i) ~~(e)~~ The voters find that reducing the carbon emissions from San Francisco's transit sector is fundamental to the City's health and wellbeing and shall be among the Agency's policy priorities. Because the Agency has significant influence on San Francisco's transportation sector, which is responsible for fully half of the carbon emissions produced within the City, the voters direct the Agency to develop and implement strategies for substantially reducing those emissions. The voters further affirm the goals of the City's Climate Action Plan.

(j) ~~(e)~~ This Article shall be interpreted and applied in conformance with the above goals.

SEC. 8A.101. MUNICIPAL TRANSPORTATION AGENCY.

(a) There shall be a Municipal Transportation Agency. The Agency shall include a Board of Directors and a Director of Transportation. The Agency shall include the Municipal Railway and the



LEGAL TEXT OF PROPOSITION A

former Department of Parking and Traffic, as well as any other departments, bureaus or operating divisions hereafter created or placed under the Agency. There shall also be a Citizens Advisory Committee to assist the Agency.

~~(b) Effective March 1, 2000, the Agency shall succeed to and assume all powers and responsibilities of the Public Transportation Commission.~~

~~(c) Effective July 1, 2000, the Municipal Railway shall become a department of the Agency and the full provisions of this Article shall be applicable.~~

~~(d) The Department of Parking and Traffic, upon its incorporation into the Agency pursuant to Section 8A.112, become a separate department of the Agency.~~

~~(b) (e) The Board of Supervisors shall have the power, by ordinance, to abolish the Taxi Commission created in Section 4.133, and to transfer the powers and duties of that commission to the Agency under the direction of the Director of Transportation or his or her designee the Board of Directors. In order to fully integrate taxi-related functions into the Agency should such a transfer occur, the Agency shall have the same exclusive authority over taxi-related functions and taxi-related fares, fees, charges, budgets, and personnel that it has over the Municipal Railway and parking and traffic fares, fees, charges, budgets, and personnel. Once adopted, Agency regulations shall thereafter supercede all previously-adopted ordinances governing motor vehicles for hire that conflict with or duplicate such regulations.~~

~~(c) (f) Any transfer of functions occurring as a result of the above provisions shall not adversely affect the status, position, compensation, or pension or retirement rights and privileges of any civil service employees who engaged in the performance of a function or duty transferred to another office, agency, or department pursuant to this measure.~~

~~(d) (g) Except as expressly provided in this Article, the Agency shall comply with all of the restrictions and requirements imposed by the ordinances of general application of the City and County, including ordinances prohibiting discrimination of any kind in employment and contracting, such as Administrative Code Chapters 12B et seq., as amended from time to time. The Agency shall be solely responsible for the administration and enforcement of such requirements.~~

~~(e) (h) The Agency may contract with existing City and County departments to carry out any of its powers and duties. Any such contract shall establish performance standards for the department providing the services to the Agency, including measurable standards for the quality, timeliness, and cost of the services provided. All City and County departments must give the highest priority to the delivery of such services to the Agency.~~

~~(f) (i) The Agency may not exercise any powers and duties of the Controller or the City Attorney and shall contract with the Controller and the City Attorney for the exercise of such powers and duties.~~

SEC. 8A.102. GOVERNANCE AND DUTIES.

(a) The Agency shall be governed by a board of seven directors appointed by the Mayor and confirmed after public hearing by the Board of Supervisors. All initial appointments must be made by the Mayor and submitted to the Board of Supervisors for confirmation no later than February 1, 2000. The Board of Supervisors shall act on those initial appointments no later than March, 1, 2000 or those appointments shall be deemed confirmed.

At least four of the directors must be regular riders of the Municipal Railway, and must continue to be regular riders during their terms. The directors must possess significant knowledge of, or professional experience in, one or more of the fields of government, finance, or labor relations. At least two of the directors must possess significant knowledge of, or professional experience in, the field of public transportation. During their terms, all directors shall be required to ride the Municipal Railway on the average once a week.

Directors shall serve four-year terms, provided, however, that two of the initial appointees shall serve for terms ending March 1, 2004, two for terms ending March 1, 2003, two for terms ending March 1, 2002,

and one for a term ending March 1, 2001. Initial terms shall be designated by the Mayor. No person may serve more than three terms as a director. A director may be removed only for cause pursuant to Article XV. The directors shall annually elect a chair. The chair shall serve as chair at the pleasure of the directors. Directors shall receive reasonable compensation for attending meetings of the Agency which shall not exceed the average of the two highest compensations paid to the members of any board or commission with authority over a transit system in the nine Bay Area counties.

(b) The Agency shall:

1. Have exclusive authority over charge of the acquisition, construction, management, supervision, maintenance, extension, operation, use, and control of all property, as well as the real, personal, and financial assets of the Agency Municipal Railway; and have exclusive authority over contracting, leasing, and purchasing by the Agency Municipal Railway, provided that any Agency contract for outside services shall be subject to Charter Sections 10.104(12) and 10.104(15) and that the Agency may not transfer ownership. Ownership of any of the real property of the City and County without approval from the Board of Directors and the Board of Supervisors shall not be transferred to any private entity pursuant to any such contract;

2. Have ~~the sole power and~~ exclusive authority to enter into such arrangements and agreements for the joint, coordinated, or common use with any other public entity owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, and transit electrical power facilities;

3. Have ~~the sole power and~~ exclusive authority to make such arrangements as it deems proper to provide for the exchange of transfer privileges, and through-ticketing arrangements, and such arrangements shall not constitute a fare change subject to the requirements of Sections 8A.106 and 8A.108;

4. Notwithstanding any restrictions on contracting authority set forth in the Administrative Code, have exclusive authority to enter into agreements for the distribution of transit fare media and media for the use of parking meters or other individual parking services;

~~5. 4.~~ Have ~~the~~ exclusive authority to arrange with other transit agencies for bulk fare purchases, provided that if passenger fares increase as a result of such purchases, the increase shall be subject to review by the Board of Supervisors pursuant to Sections 8A.106 and 8A.108;

~~6. 5.~~ Notwithstanding Section 2.109, and except as provided in Sections 8A.106 and 8A.108, have exclusive authority to fix the fares charged by the Municipal Railway, rates for off-street and on-street parking, and all other, rates, fees, fines, penalties and charges for services provided or functions performed by the Agency;

7. Notwithstanding any provision of the San Francisco Municipal Code (except requirements administered by the Department of Public Works governing excavation, street design and official grade) have exclusive authority to adopt regulations that control the flow and direction of motor vehicle, bicycle and pedestrian traffic, including regulations that limit the use of certain streets or traffic lanes to categories of vehicles and that limit the speed of traffic; and to design, select, locate, install, operate, maintain and remove all official traffic control devices, signs, roadway features and pavement markings that control the flow of traffic with respect to streets and highways within City jurisdiction, provided that:

(i) Notwithstanding the authority established in subsection 7, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the installation or removal of a stop sign or the creation or elimination of a bicycle lane. In any such review, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in this subsection 7 shall modify the authority of ISCOTT, or any successor body, over the temporary use or occupancy of public streets, or the authority of the Board of Supervisors to hear appeals regarding the temporary use or occupancy of public streets.



(iii) Nothing in subsection 7 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iv) Notwithstanding the authority established in subsection 7, to the extent state law contemplates that Agency action authorized by subsection 7 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and shall be subject to referendum in accordance with Article 14, and, if a referendum petition contains the requisite number of signatures, the Board of Supervisors shall have the power to reconsider or repeal the action as provided in Article 14.

8. Have exclusive authority to adopt regulations limiting parking, stopping, standing or loading as provided by state law and to establish parking privileges and locations subject to such privileges for categories of people or vehicles as provided by state law; to establish parking meter zones, to set parking rates, and to select, install, locate and maintain systems and equipment for payment of parking fees, provided that:

(i) Notwithstanding the authority established in subsection 8, the Board of Supervisors may by ordinance establish procedures by which the public may seek Board of Supervisors review of any Agency decision with regard to the creation or elimination of any preferential parking zone, the creation or elimination of any parking meter zone, the adoption of any limitation on the time period for which a vehicle may be parked, or reservation of any parking space for persons with a disability that qualifies for parking privileges under state law. In any review of a decision of the Agency pursuant to this section, the Agency's decision shall stand unless the Board of Supervisors reverses the decision of the Agency not later than 60 days after submission of a request to the Board of Supervisors.

(ii) Nothing in subsection 8 shall modify the power of the Board of Supervisors to establish civil offenses, infractions and misdemeanors.

(iii) Notwithstanding the authority established in subsection 8, to the extent state law contemplates that any Agency action authorized by subsection 8 be effectuated by ordinance, such action shall be effectuated by resolution of the Board of Directors and, if a referendum petition contains the requisite number of signatures, shall be subject to referendum in accordance with Article 14, and the Board of Supervisors shall have the power to reconsider or repeal the action as provided in Article 14.

9. Have exclusive authority to establish policies regarding and procure goods and services for the enforcement of regulations limiting parking, stopping, standing or loading and the collection of parking-related revenues and, along with the Police Department, have authority to enforce parking, stopping, standing or loading regulations:

10. Be responsible for chairing the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) or any successor body;

11. Be responsible for cooperating with and assisting the Police Department in the promotion of traffic safety: studying and responding to complaints related to street design, traffic control devices, roadway features and pavement markings; collecting compiling and analyzing traffic data and traffic accident data and planning improvements to improve the safety of the City's roadways; and conducting traffic research and planning;

12. Have exclusive authority to apply for, accept, and expend state, federal, or other public or private grant funds for Agency purposes;

13. To the maximum extent permitted by law, with the concurrence of the Board of Supervisors, and notwithstanding the requirements and limitations of Sections 9.107, 9.108, and 9.109, have authority without further voter approval to incur debt for Agency purposes and to issue or cause to be issued bonds, notes, certificates of indebtedness, commercial paper, financing leases, certificates of participation or any other debt instruments. Upon recommendation from the Board of Directors, the Board of Supervisors may authorize the Agency to incur on behalf of the City such debt or other obligations provided: 1) the Controller first certifies that sufficient unencumbered balances are expected to be avail-

able in the proper fund to meet all payments under such obligations as they become due; and 2) any debt obligation, if secured, is secured by revenues or assets under the jurisdiction of the Agency.

14. ~~6.~~ Have the authority to conduct investigations into any matter within its jurisdiction through the power of inquiry, including the power to hold public hearings and take testimony, and to take such action as may be necessary to act upon its findings; and

15. ~~7.~~ Exercise such other powers and duties as shall be prescribed by ordinance of the Board of Supervisors.

(c) The Agency's ~~board~~ Board of ~~directors~~ Directors shall:

1. Appoint a ~~director~~ Director of ~~transportation~~ Transportation, who shall serve at the pleasure of the ~~b~~Board. The ~~d~~Director of Transportation shall be employed pursuant to an individual contract. His or her compensation shall be comparable to the compensation of the chief executive officers of the public transportation systems in the United States which the ~~Board of~~ Board of Directors, after an independent survey, determine most closely resemble the Agency in size, mission, and complexity. In addition, the ~~Agency~~ Board of Directors shall provide an incentive compensation plan consistent with the requirements of Section 8A.104(k) under which a portion of the Director's compensation is based on achievement of service standards adopted by the Board of Directors, bonus plan for the director of transportation based upon the Agency's achievement of the milestones adopted pursuant to Section 8A.103.

2. Appoint an executive secretary who shall be responsible for administering the affairs of the ~~Board of~~ Board of Directors and who shall serve at the pleasure of the ~~b~~Board.

3. In addition to any training that may be required by City, State or federal law, attend a minimum of four hours of training in each calendar year, provided by the City Attorney and the Controller regarding the legal and financial responsibilities of the Board and the Agency.

(d) The ~~d~~Director of ~~t~~Transportation shall appoint all subordinate personnel of the Agency, including ~~deputy directors~~. ~~a deputy director for the Municipal Railway, and, upon its incorporation into the Agency, a deputy director for Parking and Traffic.~~ The deputy directors shall serve at the pleasure of the ~~d~~Director of ~~t~~Transportation. ~~The director of transportation may serve as the deputy director for the Municipal Railway, but shall not be entitled to any greater compensation or benefits on that basis.~~

(e) Upon recommendation of the ~~e~~City ~~a~~Attorney and the approval of the ~~b~~Board of ~~d~~Directors, the ~~e~~City ~~a~~Attorney may compromise, settle, or dismiss any litigation, legal proceedings, claims, demands or grievances which may be pending for or on behalf of, or against the Agency relative to any matter or property solely under the Agency's jurisdiction. Unlitigated claims or demands against the Agency shall be handled as set forth in Charter Section 6.102. Any payment pursuant to the compromise, settlement, or dismissal of such litigation, legal proceedings, claims, demands, or grievances, unless otherwise specified by the Board of Supervisors, shall be made from the Municipal Transportation Fund.

(f) The Agency's ~~b~~Board of ~~d~~Directors, and its individual members, shall deal with administrative matters solely through the ~~d~~Director of ~~t~~Transportation or his or her designees. Any dictation, suggestion, or interference by a director in the administrative affairs of the Agency, other than through the ~~d~~Director of ~~t~~Transportation or his or her designees, shall constitute official misconduct; provided, however, that nothing herein contained shall restrict the ~~Board of~~ Board of Directors' powers of hearing and inquiry as provided in this Section.

(g) Notwithstanding any provision of Chapter 6 or 21 of the Administrative Code establishing any threshold amount for exercise of executive authority to execute contracts, or any successor provision of the San Francisco Municipal Code, the Agency's Board of Directors may adopt threshold amounts under which the Director of Transportation and his or her designees may approve contracts.

(h) ~~(g)~~ Except provided in this Article, the Agency shall be subject to the provisions of this Charter applicable to boards, commissions, and departments of the City and County, including Sections 2.114, 3.105, 4.101, 4.103, 4.104, 4.113, ~~6.102~~, 9.118, 16.100, and A8.346. Sections 4.102, 4.126, and 4.132 shall not be applicable to the Agency.



LEGAL TEXT OF PROPOSITION A

SEC. 8A.103. SERVICE STANDARDS AND ACCOUNTABILITY.

(a) The Municipal Railway shall ~~be restored as soon as practicable to provide~~ a level of service measured in service hours which is not less than that provided under the schedule of service published in the April 1996 timetable, although not necessarily in that configuration.

(b) ~~No later than July 1, 2000, and by~~ By July 1 of each year thereafter, the Agency shall adopt mile-stones ~~for the~~ toward achievement of the goals specified in subsections (c) and (d). Milestones shall be adopted for each mode of transportation of the Municipal Railway, and for the Municipal Railway as a whole, with the goal of full achievement of the standards set in subsection (c) ~~no later than July 1, 2004~~.

(c) The standards for the Agency with respect to the services provided by the Municipal Railway shall include the following minimum standards for on-time performance and service delivery:

1. On-time performance: at least 85 percent of vehicles must run on-time, where a vehicle is considered on-time if it is no more than one minute early or four minutes late as measured against a published schedule that includes time points; and

2. Service delivery: 98.5 percent of scheduled service hours must be delivered, and at least 98.5 percent of scheduled vehicles must begin service at the scheduled time.

(d) ~~The standards for both managers and employees of the Agency with respect to the services, provided by the Municipal Railway shall also include other~~ The Board of Directors shall adopt Agency rules setting additional measurable standards for system reliability, system performance, staffing performance, and customer service, including:

1. Passenger, public, and employee safety and security;
2. Coverage of neighborhoods and equitable distribution of service;
3. Level of crowding;
4. Frequency and mitigation of accidents and breakdowns;
5. Improvements in travel time, taking into account adequate recovery and lay-over times for operators;
6. Vehicle cleanliness, including absence of graffiti;
7. Quality and responsiveness of customer service;
8. Employee satisfaction;
9. Effectiveness of the preventive maintenance program; and
10. Frequency and accuracy of communications to the public.

11. The Agency's duties related to parking and traffic functions and any other functions that may be added to the Agency's responsibilities.

(e) ~~The Board of Directors shall adopt Agency rules setting forth the methods by which performance shall be measured with respect to each standard established pursuant to subsections (c) or (d) above in accordance with industry best practices to enhance the Agency's ability to compare its performance to that of other comparable transit systems. The performance measures adopted in Section 4 of this measure shall be published as rules of the Agency and utilized to determine the achievement of the performance standards and milestones adopted by the Agency for the Municipal Railway. The performance measures shall be subject to amendment after public hearing by a vote of the Agency board.~~ The Agency shall regularly publish reports documenting the Agency's performance for each standard. Each performance report shall note any changes in the rules governing the methods by which performance is measured so as to inform interpretation of performance trends over time, on its attainment of those standards and milestones. Nothing herein shall prohibit the Agency from using additional performance measures.

(f) The Agency shall issue a Climate Action Plan to the Board of Supervisors and the Commission on the Environment by January 1, 2009, and every two years thereafter. The plan shall describe measures taken and progress made toward the goal of reducing greenhouse gas emissions from San Francisco's transportation sector to 80% of 1990 levels by 2012 and shall further address progress toward the following goals:

1. Zero greenhouse gas emissions for Municipal Railway transit vehicles;
2. Lowering energy consumption in Agency facilities and by non-transit vehicles;
3. Maximizing waste reduction in Agency operations;
4. Increasing transit trips and reducing private vehicle trips within the City;

5. Increasing the use of bicycling and walking as alternate forms of transportation; and

6. Improving regional transit connections to reduce private vehicle use by commuters.

No later than January 1, 2010, and no less than every ten years thereafter, the Board of Supervisors shall adopt legislation setting goals for reducing greenhouse gas emissions from San Francisco's transportation sector, and other climate action measures set forth above, for periods after 2012.

SEC. 8A.104. PERSONNEL AND MERIT SYSTEM.

(a) The Agency shall establish its own personnel/labor relations office. The ~~ad~~Director of ~~t~~Transportation shall appoint a personnel/labor relations manager, who shall serve at the pleasure of the ~~ad~~Director of ~~t~~Transportation and shall establish regular meetings with labor to discuss issues within the scope of representation on terms to be determined through collective bargaining.

(b) Except as otherwise provided in this Section, the Agency shall be governed by the rules of the civil service system administered by the City and appeals provided in civil service rules shall be heard by the City's Civil Service Commission. Unless otherwise agreed by the Agency and affected employee organizations, appeals to the Civil Service Commission shall include only those matters within the jurisdiction of the Civil Service Commission which establish, implement, and regulate the civil service merit system as listed in Section A8.409-3.

(c) Effective July 1, 2000, except for the administration of health services, the Agency shall assume all powers and duties vested in the Department of Human Resources and the Director of Human Resources under Articles X and XI of this Charter in connection with job classifications within the ~~Municipal Railway Agency~~ performing "service-critical" functions. Except for the matters set forth in subsection (f), the Department of Human Resources and the Director of Human Resources shall maintain all powers and duties under Articles X and XI as to all other Agency employees.

(d) On or before April 15, 2000, the Agency shall designate "service-critical" classifications and functions for all existing classifications used by the Municipal Railway; provided, however, that employees in classifications designated as "service-critical" shall continue to be covered by any Citywide collective bargaining agreement covering their classifications until the expiration of that agreement.

(e) For purposes of this Article, "service-critical" functions are:

1. Operating a transit vehicle, whether or not in revenue service;
2. Controlling dispatch of, or movement of, or access to, a transit vehicle;

3. Maintaining a transit vehicle or equipment used in transit service, including both preventive maintenance and overhaul of equipment and systems, including system-related infrastructure;

4. Regularly providing information services to the public or handling complaints; and

5. Supervising or managing employees performing functions enumerated above.

The Agency shall consult with affected employee organizations before designating particular job classifications as performing "service-critical" functions. If an employee organization disagrees with the Agency's designation of a particular job classification as "service-critical" pursuant to the above standards, the organization may, within seven days of the Agency's decision, request immediate arbitration. The arbitrator shall be chosen pursuant to the procedures for the selection of arbitrators contained in the memorandum of understanding of the affected employee organization. The arbitrator shall determine only whether the Agency's designation is reasonable based on the above standards. The arbitrator's decision shall be final and binding.

The Agency may designate functions other than those listed above, and the job classifications performing those additional functions, as "service-critical," subject to the consultation and arbitration provisions of this Section. In deciding a dispute over such a designation, the arbitrator shall decide whether the job functions of the designated classes



relate directly to achievement of the goals and milestones adopted pursuant to Section 8A.103 and are comparable to the above categories in the extent to which they are critical to service.

(f) In addition, the Agency shall, with respect to all Agency employees, succeed to the powers and duties of the Director of Human Resources under Article X to review and resolve allegations of discrimination, as defined in Article XVII, against employees or job applicants, or allegations of nepotism or other prohibited forms of favoritism; ~~provided, however, that the Agency's resolution of allegations of discrimination must be approved by the City's Director of Human Resources.~~ To the extent resolution of a discrimination complaint or request for accommodation involves matters or employees beyond the Agency's jurisdiction, the Agency shall coordinate with and be subject to applicable determinations of the Director of Human Resources.

(g) The Agency shall be responsible for creating and, as appropriate, modifying ~~Agency Municipal Railway~~ bargaining units for classifications designated by the Agency as "service-critical" and shall establish policies and procedures pursuant to Government Code sections 3507 and 3507.1 for creation and modification of such bargaining units. When the Agency creates or modifies a bargaining unit, employees in existing classifications placed in such bargaining unit shall continue to be represented by their current employee organizations.

(h) The Agency may create new classifications of ~~Agency~~ employees ~~doing specialized work for the Agency.~~ Such classifications shall be subject to the civil service provisions of the Charter unless exempted pursuant to Section 10.104, or subsection (i).

(i) The Agency may create new classifications and positions in those classifications exempt from the civil service system for managerial employees ~~in MTA bargaining units M and EM~~ in addition to those exempt positions provided in Section 10.104; provided, however, that the total number of such exempt ~~new managerial~~ positions ~~within the Agency~~ shall not exceed ~~7.5~~ 2.75 percent of the Agency's total workforce, exclusive of the exempt positions provided in Section 10.104. This provision shall not be utilized to eliminate personnel holding existing permanent civil service managerial positions on November 2, 1999.

Persons serving in exempt managerial positions shall serve at the pleasure of the ~~d~~Director of ~~t~~ransportation. Such exempt management employees, to the extent they request placement in a bargaining unit, shall not be placed in the same bargaining units as non-exempt employees of the Agency.

(j) The Civil Service Commission shall annually review both exempt and non-exempt classifications of the Agency to ensure compliance with the provisions of subsections (h) and (i).

(k) Upon the expiration of ~~current~~ labor contracts ~~negotiated by the Department of Human Resources and approved by the Board of Supervisors,~~ and except for retirement benefits, the wages, hours, working conditions, and benefits of the employees in classifications within the Municipal Railway designated by the Agency as "service-critical" shall be fixed by the Agency after meeting and conferring as required by the laws of the State of California and this Charter, including Sections A8.346, A8.404 and A8.409. These agreements shall utilize, and shall not alter or interfere with, the health plans established by the City's Health Service Board; provided, however, that the Agency may contribute toward defraying the cost of employees' health premiums. For any job classification that exists both as a "service-critical" classification in the ~~Agency Municipal Railway~~ and elsewhere in City service, the base wage rate negotiated by the Agency for that classification shall not be less than the wage rate set in the Citywide memorandum of understanding for that classification.

(l) Notwithstanding subsection (k), the Agency may, in its sole discretion, utilize the City's collective bargaining agreements with any employee organization representing less than 10 percent of the ~~Agency's Municipal Railway's~~ workforce.

(m) Notwithstanding any limitations on compensation contained in Section A8.404, and in addition to the base pay established in collective bargaining agreements, all agreements negotiated by the Agency relating to compensation for ~~Agency Municipal Railway~~ managers and

employees in classifications designated by the Agency as "service-critical" shall provide incentive bonuses based upon the achievement of the service standards in Section 8A.103(c) and other standards and milestones adopted pursuant to Section 8A.103. Such agreements may provide for additional incentives based on other standards established by the ~~Board of Directors Agency,~~ including incentives to improve attendance. ~~The Board of Directors Agency shall also establish a program under which a component of the compensation paid to the Director of Transportation and all exempt managers shall be based upon the achievement of service standard adopted by the Board of Directors. that provides incentive bonuses for all managers, including all managers exempt from the civil service system, based on the achievement of these standards and milestones.~~

(n) For employees whose wages, hours and terms and conditions of employment are set by the Agency pursuant to Sections A8.404 or A8.409 et seq., the Agency shall exercise all powers of the City and County, the Board of Supervisors, the Mayor, and the Director of Human Resources under those sections. For employees covered by Section A8.409 et seq., the mediation/arbitration board set forth in Section A8.409-4 shall consider the following additional factors when making a determination in any impasse proceeding involving the Agency: the interests and welfare of transit riders, residents, and other members of the public; and the Agency's ability to meet the costs of the decision of the arbitration board without materially reducing service. Notwithstanding the timelines described in Section A8.409-4, to be effective the beginning of the next succeeding fiscal year, all collective bargaining agreements must be submitted to the Board of Directors no later than June 15 for final adoption on or before June 30. For employees whose wages, hours and terms and conditions of employment are set by the Agency pursuant to Sections A8.404, the Agency shall perform the functions of the Civil Service Commission with respect to certification of the average of the two highest wage schedules for transit operators in comparable jurisdictions pursuant to Section A8.404(a), and conduct any actuarial study necessary to implement Section A8.404(f).

(o) The voters find that unscheduled employee absences adversely affect customer service. Accordingly, not later than January 1, 2001, the agency shall create a comprehensive plan for the reduction of unscheduled absences. In addition, the Agency shall take all legally permitted steps to eliminate unexcused absences. The Agency shall have no authority to approve any memorandum of understanding or other binding agreement which restricts the authority of the Agency to administer appropriate discipline for unexcused absences.

(p) Before adopting any ~~tentative~~ collective bargaining agreement ~~reached as a result of negotiations, mediation or arbitration,~~ the Agency shall, no later than June 15, at a duly noticed public meeting, disclose in writing the contents of such ~~tentative~~ collective bargaining agreement, a detailed analysis of the proposed agreement, a comparison of the differences between the agreement reached and the prior agreement, and an analysis of all costs for each year of the term of such agreement. Such ~~tentative~~ agreement between the Agency and employee organization shall not be approved by the Agency until ~~30~~ 15 days after the above disclosures have been made.

SEC. 8A.105. MUNICIPAL TRANSPORTATION FUND; REV-ENUES FOR PUBLIC TRANSIT.

(a) There is hereby established a fund to provide a predictable, stable, and adequate level of funding for the Agency, which shall be called the Municipal Transportation Fund. The fund shall be maintained separate and apart from all other City and County funds. Monies therein shall be appropriated, expended, or used by the Agency solely and exclusively for the operation including, without limitation, capital improvements, management, supervision, maintenance, extension, and day-to-day operation of ~~1) the Agency, including any division; 2) the Municipal Railway; 3) upon its incorporation into the Agency; the Department of Parking and Traffic; and 4) any other division of the Agency~~ subsequently created or incorporated into the Agency and performing transportation-related functions. Monies in the Fund may not be



LEGAL TEXT OF PROPOSITION A

used for any other purposes than those identified in this Section.

(b) Beginning with the fiscal year 2000-2001 and in each fiscal year thereafter, there is hereby set aside to the Municipal Transportation Fund the following:

1. An amount (the "Base Amount") which shall be no less than the amount of all appropriations from the General Fund, including all supplemental appropriations, for the fiscal year 1998-1999 or the fiscal year 1999-2000, whichever is higher (the "Base Year"), adjusted as provided in subsection (c), below, for (1) the Municipal Railway; and (2) all other City and County commissions, departments and agencies providing services to the Municipal Railway, including the Department of Human Resources and the Purchasing Department, for the provision of those services. The Base Amount for the Department of Parking and Traffic and the Parking Authority shall be established in the same fashion but using fiscal years 2000-2001 and 2001-2002 for the services being incorporated into the Agency.

2. Subject to the limitations and exclusions in Sections 4.113 ~~and 4.110~~, the revenues of the Municipal Railway, and, upon their incorporation into the Agency, the revenues of the Department of Parking and Traffic, and the Parking Authority; and

3. All other funds received by the City and County from any source, including state and federal sources, for the support of the Agency Municipal Railway.

(c) The Base Amount shall initially be determined by the Controller. Adjustments to the Base Amount shall be made as follows:

1. The Base Amount shall be adjusted for each year after fiscal year 2000-2001 by the Controller based on calculations consistent from year to year, by the percentage increase or decrease in aggregate City and County discretionary revenues. In determining aggregate City and County discretionary revenues, the Controller shall only include revenues received by the City which are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by adjustment in the next year's estimate.

2. An adjustment shall also be made for any increases in General Fund appropriations to the Agency in subsequent years to provide continuing services not provided in the Base Year, but excluding additional appropriations for one-time expenditures such as capital expenditures or litigation judgments and settlements.

~~3. Further, when new parking revenues increase due to policy changes in fines, taxes or newly created positions, the Base Amount shall be reduced by 50 percent of such increase to reduce the Agency's reliance on the General Fund.~~

(d) The Treasurer shall set aside and maintain the amounts required to be set aside by this Section, together with any interest earned thereon, in the Municipal Transportation Fund, and any amounts unspent or uncommitted at the end of any fiscal year shall be carried forward, together with interest thereon, to the next fiscal year for the purposes specified in this Article.

(e) It is the policy of the City and County of San Francisco to use parking-related revenues to support public transit. To that end, the following parking-related revenues deposited in the Transportation Fund shall be used to support the capital and operating expenses arising from the Agency's transit functions:

1. Revenues from parking meters, except those amounts collected from parking meters operated by the Recreation and Park Department and the Port Commission and except to the extent that they are required by law to be dedicated to other traffic regulation and control functions;

2. Revenues from off-street parking facilities under the jurisdiction of the Agency (excluding facilities owned by the Parking Authority), including facilities leased to private owners and non-profit corporations, except those amounts generated from any parking on or below any land or facilities under the jurisdiction of the Recreation and Park Department and except those amounts obligated by contract executed before 1993 to pay debt service;

3. Revenues from fines, forfeited bail, or penalties for parking violations, except those amounts to be credited to the courthouse con-

struction fund as provided in Administrative Code Section 10.117-35.

(f) In addition, there is hereby set aside from the general revenues of the City and County and deposited in the Transportation Fund to support the Agency's transit services an amount equivalent to 80 percent of the revenues received from the City's tax on occupation of parking spaces. Additional amounts appropriated as a result of this subsection after July 1, 2008 which were not previously available to support transit service shall be used exclusively to:

1. support implementation of the transit service improvements recommended by the Transit Effectiveness Project or any subsequent system-wide route and service evaluation, with first priority given to the hiring of full time on-going staff and expansion of training for Agency employees, supervisors and managers; and
2. support the creation of a Labor-Management Implementation and Service Improvement Committee consisting of the Director of Transportation and a designated representative of each union representing Agency employees. This committee shall meet quarterly to discuss implementation of this Section and ongoing system challenges.

SEC. 8A.106. BUDGET.

The Agency shall be subject to the provisions of Article IX of this Charter except:

(a) No later than ~~May~~ March 1 of each even-numbered year, after professional review, public hearing and after receiving the recommendations of the Citizens' Advisory Council, the Agency shall submit its proposed budget with annual appropriation detail in a form approved by the Controller for each of the next two fiscal years ~~year~~ to the Mayor and the Board of Supervisors for their review and consideration. The Agency shall propose a base budget that is balanced without the need for additional funds over the Base Amount, but may include fare increases and decreases, and reductions or abandonment of service. The Mayor shall submit the base budget to the Board of Supervisors, without change. Should the Agency request additional general fund support over the Base Amount, it shall submit an augmentation request for those funds in the standard budget process and subject to normal budgetary review and amendment under the general provisions of Article IX.

(b) At the time the budget is adopted, the Agency shall certify that the budget is adequate in all respects to make substantial progress towards meeting the ~~goals, objectives, and~~ performance standards established pursuant to Section 8A.103 for the fiscal year covered by the budget.

(c) No later than August 1, the Board of Supervisors may allow the Agency's base budget to take effect without any action on its part or it may reject but not modify the Agency's base budget by a ~~two-thirds~~ seven-elevenths' vote. Any fare ~~or service~~ change, route abandonment, or revenue measure proposed in the base budget shall be considered accepted unless rejected by a ~~two-thirds~~ seven-elevenths' vote on the entire base budget. Should the Board reject the base budget, it shall make additional interim appropriations to the Agency from the Municipal Transportation Fund sufficient to permit the Agency to maintain all operations through the extended interim period until a base budget is adopted. Any request for appropriation of General Fund revenues in excess of the Base Amount ~~augmentation funding~~ shall be approved, modified, or rejected under the general provisions of Article IX.

(d) No later than May 1 of each odd-numbered year, the Agency shall submit any budget amendment that may be required to increase appropriations over those approved in the two year budget or as may be required by law, provided that such budget amendment shall establish a detailed plan with appropriation detail only for those anticipated revenues and expenditures exceeding those approved in the two year budget or as otherwise required by law. The Agency may submit to the Board of Supervisors such additional budget amendments or modifications during the term of the budget, including but not limited to amendments reflecting fare changes, route abandonments and revenue measures, as may be required in the discretion of the Agency. The Board of Supervisors may allow any budget amendment to take effect without any action on its part



or it may reject but not modify the budget amendment by a seven-elevenths' vote taken within 30 days after its submission to the Board of Supervisors.

(e) Notwithstanding any other provisions of this Charter or requirements of the Annual Salary Ordinance, the Controller may authorize the Agency to move funds within its budget and hire personnel without specific Controller approval so long as the Agency's periodic and verifiable projections of spending by the Agency show the Controller that the Agency's spending will be within the approved budget. However, should the projections show that the Agency spending is likely to exceed its budget, the Controller may impose appropriate controls in his or her discretion to keep the Agency within budget.

SEC. 8A.108. FARE CHANGES AND ROUTE ABANDONMENTS.

(a) *Except as otherwise provided in this Section, any proposed change in fares or route abandonments shall be submitted to the Board of Supervisors as part of the Agency's budget or as a budget amendment under Section 8A.106, and may be rejected at that time by a two-thirds seven-elevenths vote of the Board on the budget or budget amendment. Any changes in fares or route abandonments proposed by the Agency specifically to implement a program of service changes identified in a system-wide strategic route and service evaluation such as the Transit Effectiveness Project may only be rejected by a single seven-elevenths' vote of the Board of Supervisors on the budget or budget amendment.*

(b) The Agency shall base any proposed change in Municipal Railway fares on the following criteria:

1. The Municipal Railway's need for additional funds for operations and capital improvements *and optimal maintenance of assets.*
2. The extent to which the increase is necessary to meet the goals, objectives, and performance standards previously established by the Agency pursuant to Section 8A.103.
3. The extent to which the Agency has diligently sought other sources of funding for the operations and capital improvements of the Municipal Railway.
4. The need to keep Municipal Railway fares low to encourage maximum patronage.
5. The need to increase fares gradually over time to keep pace with inflation and avoid large fare increases after extended periods without a fare increase.

(c) ~~(b)~~ For purposes of this Article, a "route abandonment" shall mean the permanent termination of service along a particular line or service corridor *where no reasonably comparable substitute service is offered.* If the Agency proposes to abandon a route at any time other than as part of the budget process as provided in Section ~~8A.106~~ ~~8A.106(a)~~, it shall first submit the proposal to the Board of Supervisors. The Board of Supervisors may, after a noticed public hearing, reject the proposed route abandonment by a ~~two-thirds~~ *seven-elevenths* vote of its members taken within 30 days after the proposal is submitted by the Agency.

SEC. 8A.109. ADDITIONAL SOURCES OF REVENUE.

(a) *To the extent allowed by law, the Board of Supervisors may, by ordinance, dedicate to the Agency revenues from sources such as gas taxes, motor vehicle licensing taxes or other available motor vehicle-related revenue sources.*

(b) The Mayor, the Board of Supervisors, and the Agency diligently shall seek to develop new sources of funding for the Agency's operations, including sources of funding dedicated to the support of such operations, which can be used to supplement or replace that portion of the Municipal Transportation Fund consisting of appropriations from the General Fund of the City and County. ~~To the extent permitted by State law, Unless prohibited by preemptive state law,~~ the Agency may submit any proposal for increased or reallocated funding to support all or a portion of the operations of the Agency, including, without limitation, a tax or special assessment directly to the electorate for approval, *or to the owners of property or businesses to be specially assessed, or to any other persons or entities whose approval may be legally required,* without the further approval of the Mayor or the Board of Supervisors. The Agency

shall be authorized to conduct any necessary studies in connection with considering, developing, or proposing such revenue sources.

SEC. 8A.110. PLANNING AND ZONING.

The planning and zoning provisions of this Charter and the Planning Code, as they may be amended from time to time, shall apply to all real property owned or leased by the Agency *but shall not impede the Agency's exclusive authority to set rates and other charges pursuant to Section 8A.102(b)(5).*

SEC. 8A.112. PARKING AND TRAFFIC; ~~INCORPORATION INTO AGENCY.~~

~~(a) By July 1, 2001, the Agency and the Department of Parking and Traffic shall prepare and submit to the Mayor and the Board of Supervisors a joint plan for incorporating the Department into the Agency.~~

~~(b) Effective July 1, 2002, the Department of Parking and Traffic shall become a separate department of the Municipal Transportation Agency and Charter Section 4.116, establishing the Parking and Traffic Commission, shall be repealed. Effective that date, the Agency shall have all the same powers and duties with respect to the Department of Parking and Traffic that it has with respect to the Municipal Railway, and shall succeed to all powers and duties of the Parking and Traffic Commission.~~

~~(a) The Municipal Transportation Agency Board of Directors shall succeed to all powers and duties of the former Parking and Traffic Commission. Effective July 1, 2002, the Agency's board of directors shall also exercise all remaining powers of the Parking and Traffic Commission for all purposes, including the power of members of the Parking and Traffic Commission to serve ex officio as members of the Parking Authority Commission under Section 32657 of the Streets and Highways Code. The chair of the Agency's board of directors shall designate annually the directors to serve as members of the Parking Authority Commission. Any person may serve concurrently as a member of the Agency's board of directors and as a member of the Parking Authority Commission. It is the policy of the City and County that the Agency exercise all powers vested by State law in the Parking Authority.~~

~~(b) It shall be City policy that the offices of Director of Transportation and Parking Authority Executive Director are not incompatible offices, and the Director of Transportation may serve ex officio as Parking Authority Executive Director, but shall not receive any additional compensation for that service.~~

~~(c) Except as provided in subsection (a), no provision of this Article shall apply to the Department of Parking and Traffic prior to July 1, 2002.~~

SEC. 8A.113. PARKING AND TRAFFIC; GOVERNANCE.

(a) The Agency shall *be responsible for management of parking and traffic functions within the City, so as to manage the functions of the Department of Parking and Traffic so that the department:*

1. ~~Provide~~ *Provides* priority to transit services in the utilization of streets, particularly during commute hours *while maintaining the safety of passengers, pedestrians, cyclists and motorists;*
2. ~~Facilitate~~ *Facilitates* the design and operation of City streets to enhance alternative forms of transit, such as pedestrian, bicycle, and pooled or group transit (including taxis);
3. ~~Propose~~ *Proposes* and ~~implement~~ *implements* street and traffic changes that gives the highest priority to *public safety and to* impacts on public transit, pedestrians, commercial delivery vehicles, and bicycles;
4. ~~Integrate~~ *Integrates* modern information and traffic-calming techniques to promote safer streets and promote usage of public transit; ~~and~~
5. ~~Develop~~ *Develops* a safe, interconnected bicycle circulation network; ~~and~~
6. *Ensure that parking policies and facilities contribute to the long term financial health of the Agency.*

(b) *It shall be City policy that the* ~~The~~ Agency ~~shall~~ manage the Parking Authority so that it does not *acquire or* construct new or expanded parking facilities unless the Agency finds that the costs resulting from



LEGAL TEXT OF PROPOSITION A

such *acquisition*, construction, *or expansion* and the operation of such facilities will not reduce the level of funding to the Municipal Railway from parking and garage revenues under Section 16.110 to an amount less than that provided for fiscal year 1999-2000, *as adjusted by the Controller for inflation; further provided that it shall be City policy that before approving the acquisition, construction or expansion of a parking garage, the Agency's Board of Directors shall make a finding that the operation of the garage will advance or be consistent with the City's Transit First Policy.*

Section 2. The San Francisco Charter is hereby amended by re-numbering Sections 16.100 and 16.102 as Sections 8A.114 and 8A.115 respectively and amending Section 8A.115 to read as follows:

SEC. ~~8A.114. 16.100.~~ CABLE CARS.

In the conduct of the public transportation system there shall be maintained and operated cable car lines as follows:

1. A line commencing at Powell and Market Streets; thence along Powell Street to Jackson Street; thence along Jackson Street to Mason Street; thence along Mason Street to Columbus Avenue; thence along Columbus Avenue to Taylor Street; thence along Taylor Street to a terminal at Bay Street; returning from Bay and Taylor Streets along Taylor Street to Columbus Avenue; thence along Columbus Avenue to Mason Street; thence along Mason Street to Washington Street; thence along Washington Street to Powell Street; and thence along Powell Street to Market Street, the point of commencement.

2. A line commencing at Powell and Market Streets; thence along Powell Street to Jackson Street; thence along Jackson Street to Hyde Street; thence along Hyde Street to a terminal at Beach; returning from Beach and Hyde Streets along Hyde Street to Washington Street; thence along Washington Street to Powell Street; thence along Powell Street to Market Street, the point of commencement.

3. A line commencing at Market and California; thence along California Street to a terminal at Van Ness Avenue; returning from Van Ness Avenue along California Street to Market Street, the point of commencement.

To fully effectuate the intent of this section, these lines shall be maintained and operated at the normal levels of scheduling and service in effect on July 1, 1971; provided, however, that nothing herein contained shall prevent the increasing of the levels of scheduling and service.

SEC. ~~8A.115. 16.102.~~ TRANSIT-FIRST POLICY.

(a) The following principles shall constitute the City and County's transit-first policy and shall be incorporated into the General Plan of the City and County. All officers, boards, commissions, and departments shall implement these principles in conducting the City and County's affairs:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.

2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.

3. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.

4. Transit priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools) and to improve pedestrian safety.

5. Pedestrian areas shall be enhanced wherever possible to improve the safety and comfort of pedestrians and to encourage travel by foot.

6. Bicycling shall be promoted by encouraging safe streets for riding, convenient access to transit, bicycle lanes, and secure bicycle parking.

7. Parking policies for areas well served by public transit shall be designed to encourage travel by public transit and alternative transportation.

8. New transportation investment should be allocated to meet the demand for public transit generated by new public and private commercial and residential developments.

9. The ability of the City and County to reduce traffic congestion depends on the adequacy of regional public transportation. The City and County shall promote the use of regional mass transit and the continued development of an integrated, reliable, regional public transportation system.

10. The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

(b) The City may not require or permit off-street parking spaces for any privately-owned structure or use in excess of the number that City law would have allowed for the structure or use on July 1, 2007 unless the additional spaces are approved by a four-fifths vote of the Board of Supervisors. The Board of Supervisors may reduce the maximum parking required or permitted by this section.

Section 3. The San Francisco Charter is hereby amended by repealing Section 16.110, in its entirety.

~~SEC. 16.110. REVENUES FOR PUBLIC TRANSIT.~~

It is the policy of the City and County of San Francisco to use parking related revenues, where available, to support public transit. To the extent allowed by law, there is hereby set aside from the general revenues of the City and County for the operations and capital improvements of the Department of Public Transportation for each fiscal year an amount equivalent to the City and County's share of revenues realized from:

1. Parking meters, except those amounts to be credited to the off-street parking fund as provided in Traffic Code Section 213 and those amounts collected from parking meters operated by the Recreation and Park Department and the Port Commission;

2. City owned off street parking facilities, including facilities leased to private owners and non profit corporations, except those amounts to be credited to the off street parking fund or otherwise dedicated as provided in Traffic Code Section 213 and except those amounts generated from any parking on or below any land or facilities under the jurisdiction of the Recreation and Park Department;

3. Fines, forfeited bail, or penalties for parking violations, except those amounts to be credited to the courthouse construction fund as provided in Administrative Code Section 10.117-35; and;

4. The tax on occupation of parking spaces, except for the amounts attributable to any surcharges imposed since 1978 and except for the amounts set aside for senior citizens' programs as provided in Section 615 of Part III of the Municipal Code.

In determining the amounts to be credited to the off street parking fund as set forth in subparagraphs (1) and (2) above, sufficient revenues shall be credited to such fund to ensure adequate funding for the purposes for which such fund was created, including without limitation the following: capital outlays for the acquisition of property, construction, completion, and leasing of public parking lots, storage space, garages, structures, and other off street parking facilities; maintenance and operation of such parking facilities; public works improvements that increase the supply of on street parking; engineering and construction of on street parking bays in parking meter districts in neighborhood commercial districts; installation and maintenance of on and off street parking meters; and the administration of the parking programs of the City and County.

The Treasurer shall set aside and maintain said amounts, together with any interest earned thereon, in a special fund, and any amounts unspent or uncommitted at the end of any fiscal year shall be carried forward to the next fiscal year and, subject to the budgetary and fiscal limitations of the Charter, shall be appropriated then or thereafter for the purposes specified in this section.

To the extent allowed by law, the Board of Supervisors may, by ordinance, dedicate additional revenues to the department of public transportation from sources including, but not limited to, gas taxes,



~~motor vehicle licensing taxes or other available motor vehicle related revenue sources.~~

Section 4. The San Francisco Charter is hereby amended by amending Section A8.404, to read as follows:

SEC. A8.404. SALARIES AND BENEFITS OF CARMEN.

The wages, conditions and benefits of employment as provided for in this section of the various classifications of employment of platform employees and coach or bus operators of the municipal railway as compensation, shall be determined and fixed annually as follows:

(a) On or before the first Monday of August of each year, the civil service commission shall certify to the board of supervisors for each classification of employment the average of the two highest wage schedules in effect on July 1st of that year for comparable platform employees and coach or bus operators of other surface street railway and bus systems in the United States operated primarily within the municipalities having each a population of not less than 500,000 as determined by the then most recent census taken and published by the director of the census of the United States, and each such system normally employing not less than 400 platform employees or coach or bus operators, or platform employees, coach and bus operators.

(b) The board of supervisors shall thereupon fix a wage schedule for each classification of platform employees and coach and bus operators of the municipal railway which shall not be ~~in excess of~~ *less than* the average of the two highest wage schedules so certified by the civil service commission for each such classification.

(c) When, in addition to their usual duties, such employees are assigned duties as instructors of platform employees or coach or bus operators they shall receive additional compensation that shall be subject to negotiation in addition to the rate of pay to which they are otherwise entitled under the wage schedule as herein provided.

(d) The rates of pay fixed for platform employees and coach and bus operators as herein provided shall be effective from July 1st of the year in which such rates of pay are certified by the civil service commission.

(e) The terms "wage schedule" and "wage schedules" wherever used in this section are hereby defined and intended to include only the maximum rate of pay provided in each such wage schedule.

(f) At the time the board of supervisors fixes the wage schedule as provided in (b) above, the board of supervisors may fix as conditions and benefits of employment other than wages as compensation for platform employees and coach or bus operators of the municipal railway, conditions and benefits not to exceed those conditions and benefits granted by collective bargaining agreements to the comparable platform employees and coach or bus operators of the two systems used for certification of the average of the two highest wage schedules by the civil service commission. The board of supervisors may establish such conditions and benefits notwithstanding other provisions or limitations of this charter, with the exception that such conditions and benefits shall not involve any change in the administration of, or benefits of the retirement system, health service system or vacation allowances as provided elsewhere in this charter. For all purposes of the retirement system as related to this section, the word "compensation" as used in Section 8.509 of this charter shall mean the "wage schedules" as fixed in accordance with paragraphs (a) and (b) above, including those differentials established and paid as part of wages to platform employees and coach and bus operators of the municipal railway, but shall not include the value of those benefits paid into the fund established as herein provided. Provided that when in the two systems used for certification as provided above, vacation, retirement and health service benefits are greater than such similar benefits provided by this charter for platform employees, coach or bus operators of the municipal railway, then an amount not to exceed the difference of such benefits may be converted to dollar values and the amount equivalent to these dollar values shall be paid into a fund. The fund shall be established to receive and to administer said amounts representing the differences in values of the vacation, retirement and health service benefits, and to pay out benefits that shall be jointly determined by representatives of the city and county government and the representa-

tives of the organized platform employees and coach and bus operators of the municipal railway. The civil service commission shall adopt rules for the establishment and general administration of the fund as herein provided. Such rules shall provide for a joint administration of the fund by representatives of the city and county government, which shall include representatives of the administrator of the agency responsible for the municipal railway and representatives of the organized platform employees, coach and bus operators of the municipal railway. Such rules may provide a procedure for final and binding arbitration of disputes which may arise between representatives of the city and county government and the representatives of the organized platform employees and coach and bus operators of the municipal railway. Such rules shall provide that all investments of the fund shall be of the character legal for insurance companies in California. Such rules and any amendments thereto shall be effective upon approval by the board of supervisors by ordinance.

(g) Notwithstanding any provisions of this charter, including other subparts of this section, the board of supervisors may, after meeting and conferring with and reaching agreement with the employee organization certified as the representative for municipal railway operators, fix wages and benefits of employment other than wages for platform employees and coach and bus operators of the municipal railway under this section for periods in excess of one year. Any ordinance fixing wages and benefits of employment other than wages adopted pursuant to this section for a period of more than one year shall contain a provision to the effect that during said period of time it shall be unlawful for the employees receiving the compensation so fixed to engage in a strike, work stoppage or conduct delaying or interfering with work at city and county facilities. Wages and benefits of employment other than wages established under this section shall not in any year exceed the limits established under paragraphs (b) and (f) of this section.

(h) Not later than the 25th day of August, the board of supervisors shall have the power and it shall be its duty, subject to the fiscal provisions of the charter but, without reference or amendment to the annual budget, to amend the annual appropriation ordinance and the annual salary ordinance as necessary to include the provisions for paying the rates of compensation and conditions and benefits other than wages fixed by the board of supervisors as in this section provided for platform employees and coach or bus operators for the then current fiscal year.

On recommendation of the civil service commission the board of supervisors shall establish a rate of pay for trainee platform men and bus or coach operators at a level reflecting the current labor market but below the basic hourly rate for motorman, conductor and bus operator.

Section 5. No later than 90 days after the effective date of this measure, the Board of Supervisors shall adopt legislation deleting all provisions of the San Francisco Traffic Code that are not consistent with Article 8A of the Charter and converting such provisions to rules and regulations of the Municipal Transportation Agency Board of Directors that shall be subject to amendment or repeal by the Municipal Transportation Agency Board of Directors; provided however that such transfers shall not disturb the powers of the Port Commission pursuant to Article 13, the powers of the Police Department pursuant to Article 2, 3, 6, 9 and 14, the powers of the Department of Public Works pursuant to Article 3, the powers of the Department of Public Health pursuant to Article 14, or the powers of the Interdepartmental Staff Committee on Traffic and Transportation pursuant to Article 21.

